

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1640 – SB 1689**

February 13, 2016

**SUMMARY OF ORIGINAL BILL:** Authorizes a person to challenge the qualifications of a candidate for the office of Chief Administrative Officer of the Highway Department to the Tennessee Highway Officials Certification Board (HOCB) provided the challenge is filed in writing with the Board no later than 12:00 noon on the third day after the qualifying deadline. Sets forth requirements that the Board must follow when a challenge is filed. Creates a Class A misdemeanor punishable by fine only if an individual intentionally files a fraudulent challenge.

**FISCAL IMPACT OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (012391):** Deletes provision that created a Class A misdemeanor punishable by fine only if an individual intentionally filed a fraudulent challenge.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The Tennessee Highway Officials Certification Board reviews the qualifications of candidates for the office of highway superintendent in counties in which the Uniform County Highway statute applies. Candidates must file affidavits with the Board listing their qualifications. The Board reviews the affidavits and issues certificates of approval that are filed with a candidate's county nominating petition for election.
- Currently, the Board hears challenges to candidates' qualifications if a challenge is filed prior to the candidates' qualifications review by the Board.
- Based on information from the Secretary of State, allowing qualification challenges to be filed after the qualifying deadline may result in a maximum of one additional Board meeting for each qualifying deadline.

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- According to the Secretary of State, Board members are not compensated; therefore, there is no fiscal impact to state government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/amj